

their quality and strength, and had been substituted in part for cottonseed meal, which the articles purported to be.

Misbranding was alleged in substance for the reason that the respective statements, to wit, "Protein 36% * * * Fibre 14%," "Protein 36.00 per cent * * * Crude Fibre 12.00 per cent," or "36.0 per cent of crude protein," appearing on the labels of the sacks containing the articles, were false and misleading in that they represented that the said articles contained not less than 36 per cent of protein, and that certain of the articles contained not more than 14 per cent or 12 per cent, as the case might be, of fiber, and for the further reason that the articles were so labeled as to deceive and mislead the purchaser into the belief that they contained not less than 36 per cent of protein, and that certain of the articles contained not more than 14 per cent or 12 per cent of fiber, as the case might be, whereas, in fact and in truth, the articles contained less than 36 per cent of protein, and the products involved in all consignments with the exception of that under date of January 17, 1919, into Indiana, contained more than 14 per cent or 12 per cent, as the case might be, of fiber.

On June 27, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

9492. Misbranding of cottonseed cake. U. S. * * * v. Planters Oil Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 12348. I. S. No. 12029-r.)

On July 17, 1920, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Planters Oil Co., a corporation, Hearne, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 13, 1919, from the State of Texas into the State of Kansas, of a quantity of cottonseed cake which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained approximately 41.50 per cent of protein.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis Protein, not less than 43%," borne on the tags attached to the sacks containing the article, was false and misleading in that it represented to purchasers of the said article that it contained not less than 43 per cent of protein, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 43 per cent of protein, whereas, in fact and in truth, it contained less than 43 per cent of protein, to wit, approximately 41.50 per cent.

On March 3, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

9493. Misbranding of Hobo Kidney & Bladder Remedy. U. S. * * * v. 48 Bottles of Hobo Kidney & Bladder Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12388. I. S. No. 9681-r. S. No. C-1921.)

On May 6, 1920, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 48 bottles of Hobo Kidney & Bladder Remedy, at Waco, Tex., alleging that the article had been shipped by the Hobo Medicine Mfg. Co., Shreveport, La., on or about March 15, 1920, and transported from the State of Louisiana into the State of Texas, and charging misbranding in violation of the Food and

Drugs Act, as amended. The article was labeled in part: (Carton) "* * * Kidney & Bladder Remedy A Vegetable Compound Manufactured From Native Herbs * * * Bright's Disease Acute and Chronic Cystitis Renal & Vesical Pus Or Blood In Urine. Incontinence Albuminuria & Ailments Caused From Defective (Kidney & Bladder) Elimination * * * One Of The Greatest Alternatives * * * Back Ache, Persistent Head Ache, Dizziness, Forgetfulness, Weakness and Rheumatism When Caused By Disordered Kidneys, The same Being True of Inflammation Of The Bladder * * *;" (bottle) "* * * Kidney and Bladder Remedy A Vegetable Compound for the Treatment of Brights Disease, Acute and Chronic Cystitis, Renal and Vesical Pus or Blood in Urine, Incontinence and Retention, Albuminuria, and all Ailments caused from Defective (Kidneys and Bladder) Elimination * * *;" (booklet) "* * * For nearly three years, Mr. G. D. Horton * * * was a sufferer from Bright's disease in its most malignant form. * * * Within three days * * * Mr. Horton was greatly improved, and within two months restored to health without any recurrence of the malady in the intervening years. * * * Mr. Horton has named the preparation Hobo Kidney and Bladder Remedy. * * * it not only gave speedy relief to all the tortures which kidney and bladder affections entailed, such as incontinence of urine, gravel in the bladder, irritated glands, backaches, kindred complaints, but that in many instances the cures were absolutely permanent. * * * If your case is of long standing, do not expect one or two bottles to cure you. * * * You must continue to take the medicine—a half-dozen, a dozen bottles—yes, until you feel absolutely sure every vestige of your trouble has been removed. * * *"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of plant extractives, potassium nitrate, and benzoic and salicylic acids or their salts.

It was alleged in substance in the libel that the article was misbranded in that the above-quoted claims and statements, regarding the curative effects thereof, were false and fraudulent for the reason that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 4, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

9494. Misbranding of Texas Wonder. U. S. * * * v. 144 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12990. I. S. No. 1608-t. S. No. C-2005.)

On July 9, 1920, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 144 bottles of Texas Wonder, at Waco, Tex., alleging that the article had been shipped by G. Nash, St. Louis, Mo., on or about June 21, 1920, and transported from the State of Missouri into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements and claims, appearing on the carton containing the said article and in a small circular accompanying the same, regarding the curative effect thereof, (carton) "* * * A Remedy For Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel.